



WASHOE COUNTY

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CM/ACM KS
Finance LC
DA JG
Risk Mgt N/A
HR N/A
Other MS

STAFF REPORT

BOARD MEETING DATE: November 10, 2015

DATE: October 21, 2015
TO: Board of County Commissioners
FROM: Robert Smith, Animal Services Manager
Phone: 353-8945; email: rasmith@washoecounty.us
THROUGH: Shyanne Schull, Director of Animal Services
SUBJECT: Second reading and adoption of an Ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, "at large" domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions. (Bill No. 1751) (All Commission Districts)

SUMMARY

The Washoe County Board of County Commissioners (BCC) introduced and held a first reading of an ordinance amending Washoe County Code Chapter 55, by repealing provisions containing metes and bounds descriptions of animal congested areas, specifying that these metes and bounds descriptions and a corresponding map shall be adopted by the board by resolution; by amending provisions reporting unrestrained and at large animals, impoundment of animals and dog licensing.

Washoe County Code Chapter 55 was rewritten to create a unified animal control ordinance which was adopted on June 14, 2005 in accordance with the Interlocal Agreement entered into by the Cities of Reno and Sparks and the County of Washoe to effectuate the consolidation of animal services in the County. In accordance with that Interlocal Agreement and the consolidated ordinances, animal services have been provided on a regional basis now in excess of nine years. It is based on this experience, revision to State Statutes and public input during this time that these amendments to Chapter 55 are being proposed.

- NRS 244.189 provides that the board of county commissioners may exercise such powers and may enact such ordinances not in conflict with Nevada statutes for, inter alia, the control and protection of animals.
- NRS 244.359 provides that the board of county commissioners may enact and enforce ordinances fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid; regulating or prohibiting the running at large and disposal of all kinds of animals; establishing a pound, appointing a pound keeper and prescribing his duties; prohibiting cruelty to animals; and designating an animal as inherently dangerous and requiring the owner of such an animal

AGENDA ITEM # 17

to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners. Any such ordinances may apply throughout the entire county or govern only a limited area within the county.

- The BCC and the City Councils of the City of Reno and City of Sparks consolidated animal control functions in Washoe County to be on a regional basis. The consolidation of animal services was accomplished by the adoption of ordinances of the three jurisdictions approving an interlocal agreement among the cities of Reno and Sparks and Washoe County which regionalized all field services, including, but not limited to, licensing, enforcement, rabies control, kennel permitting and related administrative functions relating thereto under the jurisdiction and control of Washoe County. The final step in the consolidation process occurred on June 14, 2005 when the BCC adopted the ordinance which amended Washoe County Code Chapter 55 in compliance with the interlocal agreement for the consolidation of animal services. Since that date, animal services within Washoe County has been operated and provided on a regional basis. We now have over nine years of regional operational experience.
- It is the intention of this Ordinance to repeal, enact and revise sections to Washoe County Code Chapter 55 based upon that experience and public input.

County priority/goals: Safe, secure and healthy communities; Public participation and open, transparent communication.

PREVIOUS ACTION

On April 22, 2014 the BCC approved the establishment of Washoe County Regional Animal Services as a stand-alone department.

On June 17, 2014 the BCC authorized initiation of proceedings to amend Washoe County Code (Chapters 5 and 55) related to the creation of the Department of Regional Animal Services.

On July 22, 2014 the BCC received an update on the public input process regarding Washoe County Code Chapter 55.

On October 13, 2015 the BCC introduced and held a first reading of an Ordinance amending Washoe County Code Chapter 55, by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, "at large" domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.

BACKGROUND

On April 22, 2014 the BCC approved establishing Washoe County Regional Animal Services as a standalone department.

On June 17, 2014, the BCC directed the Clerk to submit a request to the District Attorney to initiate proceedings to amend Washoe County Code (Chapters 5 and 55).

The County Managers Office and Washoe County Regional Animal Services (WCRAS) initially met with OnStrategy to plan the public input process for the proposed code amendments. A first

step in the public input process was to share proposed revisions with key stakeholder groups including the Cities of Reno and Sparks and major animal groups in our County, which included the Society for the Prevention of Cruelty to Animals (SPCA), Nevada Humane Society (NHS) and Pet Network. Through individual meetings with staff, input was received from these groups regarding the proposed code amendments.

An online comment process “Open Washoe” was utilized from July 7, 2014 to August 18, 2014 to establish priorities for ordinance workshops, to raise awareness of the code issues and to obtain a broad range of input on topics important to the public. The unique feature of this community engagement tool allowed visitors to the site to read all the comments posted by their fellow citizens, as well as the ability to agree or disagree.

During the public input process there were numerous media releases and targeted email notifications encouraging the public to give input on the code amendments. There were also several news stories, print articles and radio shows discussing the changes and encouraging public input, which resulted in additional input being received via phone calls and emails.

This process was implemented to raise awareness of the community issues and to insure the widest range of public input. At key points during the public input process, new questions regarding the code revisions were posted and the proposed code amendments were edited based upon public input. These changes were then posted on “Open Washoe” for citizens to review.

Additionally, links to “Open Washoe” were added to the Animal Services web page and an email account animalcode@washoecounty.us was created for the public to communicate their comments and concerns specific to proposed Code changes.

FISCAL IMPACT

None

RECOMMENDATION

It is recommended that the Board of County Commissioners hold a second reading and adopt an Ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, “at large” domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.

POSSIBLE MOTION

Should the Board approve, a possible motion would be:

“Move to adopt an Ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, “at large” domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.”

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, "at large" domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.

BILL NO. 1751

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONTAINING METES AND BOUNDS DESCRIPTIONS OF ANIMAL CONGESTED AREAS; BY AMENDING PROVISIONS RELATED TO REPORTING VIOLATIONS OF ANIMAL STATUTES, RESTRAINING ANIMALS, LICENSING DOGS, RABIES VACCINATIONS, "AT LARGE" DOMESTIC ANIMALS, IMPOUNDED ANIMALS AND QUARANTINE; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Sections 55.250 through 55.330, inclusive, and section 55.465 of the Washoe County Code are hereby repealed.

SECTION 2. The definitions of "residence" and "stray" contained in section 55.010 of the Washoe County Code are hereby repealed.

SECTION 3. Section 55.010 of the Washoe County Code is hereby amended to add the following new definitions:

"Service animal" means an animal that has been individually trained to perform tasks for people with disabilities in accordance with NRS 426.097 and the Americans with Disabilities Act. Service animals are working animals, not pets.

"Tether" means a cable, chain, rope or other similar device that is used to restrain an animal.

SECTION 4. Section 55.070 of the Washoe County Code is hereby amended as follows:

55.070 Report of violations.

1. Any person who observes a violation of any provision of this chapter may report the suspected violation to ~~an animal control officer~~ **regional animal services**. ~~A report~~ **complaint** may be oral or written. **Any person requesting civil or criminal action to be taken must submit a written complaint of the**

violation to regional animal services.

2. In accordance with NRS 207.280, any person who knowingly makes a false complaint to regional animal services that a felony or misdemeanor has been committed is guilty of a misdemeanor.

SECTION 5. Section 55.080 of the Washoe County Code is hereby amended as follows:

55.080 Warning of certain violations of chapter. An animal control officer may issue an oral or written warning to any person suspected of violating the provisions of this chapter **or Nevada Revised Statutes**. The warning may precede or be issued in lieu of a written citation **or notice of civil penalty**.

SECTION 6. Section 55.100 of the Washoe County Code is hereby amended as follows:

55.100 Restraining animals.

1. In the congested areas ~~of the county, every~~ **each** person who ~~is the owner of or~~ has the care, custody or control of any ~~cow, dog, goat, horse, ox, poultry, rabbits or any rodent, sheep, swine~~ **livestock, domestic animal** or exotic animal, ~~has an absolute duty to keep the same upon the premises under the control of such person,~~ **must keep the animal** restrained by a fence, cage, coop, chain, **tether**, leash or other adequate means so that the animal shall not leave the premises upon which it is kept.

2. In the congested areas ~~of the county,~~ it is unlawful for the owner of any dog to allow the dog to be in a public ~~park~~ **area** unless the dog is on a leash. This provision does not apply to special areas that may be designated for training programs, dog shows or dog parks.

3. ~~It is unlawful for any person to bring an animal into the area designated for a special event when the event has been~~

~~posted as ^Ano animals allowed. This provision does not apply to guide dogs, hearing dogs and helping dogs assisting handicapped persons.~~

SECTION 7. Section 55.230 of the Washoe County Code is hereby amended as follows:

55.230 Determination of congested areas. For the purpose of certain regulations regarding animals in Washoe County, the ~~county board will be divided by the board~~ **the county** into areas either determined ~~by the board from time to time to be congested areas, or~~ **and** areas not designated as **determined to be** congested

areas under this chapter. ~~The areas within the unincorporated area of Washoe County described in sections 55.240 to 55.330 are hereby determined to be congested areas for purposes of this chapter.~~ **The complete metes and bounds description of each of the congested areas as well as a corresponding map of these congested areas shall be adopted by the board by resolution, which may be amended from time to time by the board.**

SECTION 8. Section 55.340 of the Washoe County Code is hereby amended as follows:

55.340 Licensing of dogs in congested areas required; annual license; fees; license tags; unlawful to fail to license.

1. Within a congested area ~~in the county~~, every person keeping or maintaining any dog over the age of 4 months, within 30 days after the dog attains this age, or after first bringing a dog into a congested area to keep and maintain, shall obtain and thereafter continuously maintain for the dog a current and valid dog license issued by ~~the county~~ **regional animal services** and shall comply with the vaccination provisions of section 55.580.

2. Each dog license ~~issued by the county~~ shall be ~~annual and must be renewed annually~~ within 30 days from the expiration date ~~ofn the license~~ **certificate**. After this date, a penalty fee shall be charged for late licensing.

3. The license fee shall be set, ~~and may be amended from time to time~~ by the board of county commissioners.

4. Upon ~~exhibition of the proper certificate of vaccination pursuant to the provisions of section 55.590 and payment of the license fee,~~ ~~the county~~ **regional animal services** will issue:

(a) A certificate stating the license ~~year~~ **period** for which the license fee is paid, a description of the dog, the date of payment and the name and ~~residence~~ address of the person to whom the license is issued.

(b) A metal ~~or plastic~~ tag **or implanted microchip** numbered to correspond with the license ~~or certificate of registry with the license year stamped thereon.~~

5. ~~The~~**A** dog license is not transferable from one dog to another.

6. No refund shall be made on any dog license fee because of death of the dog or the owner moving out of the county before expiration of the license period.

7. ~~It is unlawful for the owner of any dog to keep or maintain the dog in any congested area unless it is licensed as provided in this chapter.~~

SECTION 9. Section 55.350 of the Washoe County Code is hereby amended as follows:

55.350 Rabies vaccination required.

1. ~~The county shall not issue a license for any dog until:~~
~~(a) The dog has been vaccinated with canine rabies vaccine~~**It is unlawful to own or possess a dog, cat or ferret which is not appropriately vaccinated against rabies. Rabies vaccinations must be given** by a veterinarian licensed to practice veterinary medicine in the state in which the ~~dog~~ **animal** was vaccinated, and the owner of the dog produces a current certificate of rabies vaccination. Each certificate of rabies vaccination shall expire as noted on the vaccination certificate, and shall include the information specified in section 55.590; ~~or~~
~~(b) The owner of the dog furnishes a statement from a veterinarian that the dog should not be vaccinated.~~

2. ~~The county may accept the license fee from the applicant and withhold issuance of the license until the certificate or exemption statement is provided~~**This section does not apply to an animal that for medical reasons should not be vaccinated, provided the owner furnishes such a statement from a licensed veterinarian.**

SECTION 10. Section 55.380 of the Washoe County Code is hereby amended as follows:

55.380 Licensing exemptions. The licensing provisions of this chapter to not apply to ~~the owner of any dog which is:~~

- ~~1. Under 4 months of age if the dog is kept within an enclosure and is not allowed to run at large;~~
- ~~2. Being trained for use or actually used as a helping dog, hearing dog or guide dog, but the dog shall not be permitted to be at large;~~
- ~~3. Under the care and in the possession of a veterinarian; or~~
4. **Used by a public law enforcement agency, or which is in the temporary care and custody of a releasing agency approved by regional animal services.**

SECTION 11. Section 55.460 of the Washoe County Code is hereby amended as follows:

55.460 Unlawful for **domestic** animals, except cats, to be at large in congested areas; damage by animals; capture and impoundment by individuals.

1. It is unlawful for any **domestic** animal, except a cats, to be at large within the congested areas ~~as designated herein.~~
2. It is unlawful for any **domestic** animal, to endanger property, public safety, ~~itself or any other animal.~~
3. A violation of subsection 1 or 2 is committed by the owner or person having custody, control or possession of the animal.
4. An ~~animal control officer~~ **member of regional animal services' staff** or any other person may take up and impound at the animal services center:
 - (a) Any **domestic** animal, except a cats, which is found at

large within a congested area;

(b) Any **domestic** animal which is trespassing on that person's property; and

(c) Any **domestic** animal, which is endangering property, public safety, itself or any other animal.

~~5. The provisions of this section do not apply to livestock, which are governed by section 55.540.~~

SECTION 12. Section 55.485 of the Washoe County Code is hereby amended as follows:

55.485 Promulgation of Rules regarding impounded animals.

1. ~~The board of county commissioners hereby designates the Washoe County Director of Public Works~~ **regional animal services** or his **or her** designee ~~to~~ **may** promulgate reasonable rules **related to animals.** ~~These rules~~ which may include, but are not limited to:

(a) Charging owners or persons having the care, custody or possession of **impounded** animals ~~impounded pursuant to this chapter,~~ for all costs and maintenance incurred by ~~the~~ **regional animal services center,** including special assessments.

(b) ~~Destruction of~~ **Euthanizing** impounded animals in a humane manner where the animals have been left unredeemed ~~at the shelter~~ beyond the specified impoundment period.

(c) ~~Destruction of~~ **Euthanizing** impounded animals which are unfit for further keeping **may not be kept** due to dangerous propensities **behavior,** disease, age or injury.

(d) ~~Disposition by way of transfer of~~ **Transferring** impounded, unredeemed animals.

(e) ~~Rescue and redemption of~~ **Redeeming** animals upon payment of all costs as outlined herein and upon licensing or relicensing and vaccination of such animals.

(f) ~~To provide~~ **Providing** for the periodic inspection of the entire **regional Animal Services Center.**

SECTION 13. Section 55.490 of the Washoe County Code is hereby amended as follows:

55.490 Period of impoundment; notice of impoundment; disposition of unclaimed animals.

1. Except in the case of livestock, an animal impounded at the animal services center will be kept ~~there~~ for a period of five days, **unless redeemed earlier by its owner.**

2. If **regional animal services** **knows or discovers** the identity of the owner of an impounded animal ~~is known or discovered by the animal services center,~~ **regional animal services staff** shall attempt to provide notice ~~to the owner of the animal's~~ impoundment ~~of the animal.~~

If the identity of the owner is ascertained and notice is given, the owner may redeem the animal in accordance with section 55.500. If the owner does not redeem the animal within the time period specified by ~~the regional animal services center~~, the impounded animal may be ~~destroyed~~ **euthanized** as provided in subsection 3 below.

3. ~~An impounded animal may be destroyed~~**Regional animal services may euthanize an impounded animal** in a humane manner ~~under direction of the animal control officer~~ after the end of the five day impoundment period, ~~but~~. **In lieu of euthanasia, regional animal services may transfer** any such unredeemed animal ~~authorized for destruction may be transferred to any person in accordance with the rules promulgated pursuant to section 55.480~~ **an authorized releasing agency requesting the animal.**

SECTION 14. Section 55.500 of the Washoe County Code is hereby amended as follows:

55.500 Redeeming impounded animals. The owner or person entitled to ~~the custody or possession of~~ any impounded animal, ~~except livestock,~~ may redeem such animal by:

1. Presenting **proof of** a current license ~~to the county animal services center,~~ if the animal is of a type that must be licensed;

2. ~~Payment of a~~**Paying the** license fee, if the animal is a dog and was unlicensed;

3. **Requesting implantation of a microchip, if the animal is a dog or cat;**

~~34. Payment of~~**Paying** fees for ~~the~~ impoundment, **boarding,** care and any medical treatment provided to the animal ~~by the animal services center; and~~

45. ~~Provide~~**ing** proof of rabies vaccination if the animal is a type that can be vaccinated, ~~or. If~~ such animal has not been vaccinated, ~~post an amount equal to the cost of vaccination which will be returned upon providing proof of vaccination; and~~ **regional animal services shall issue a temporary license if one is required, and shall notify the owner regarding compliance with section 55.350. The owner of said animal must provide proof of rabies vaccination within 14 days of redemption.**

~~5. Meet the conditions of any rules that have been promulgated in accordance with section 55.485.~~

SECTION 15. Section 55.630 of the Washoe County Code is hereby amended as follows:

55.630 Quarantine fees. Quarantine fees shall be ~~borne by~~ **the responsibility of** the owner. ~~Fees for~~ **Quarantine fees** ~~at public facilities shall be established by the head of that facility shall be set by the board of county commissioners.~~

SECTION 16. Section 55.010 of the Washoe County Code is hereby amended as follows:

~~At large means every instance in which a domestic animal, except a cat, is found to be beyond the custody and control of physically off the premises of its owner or other person responsible therefor, handler or keeper. Within the congested areas designated in sections 55.240 and 55.245, a dog is deemed~~

~~to be at large when it is found off the premises of its owner or other person responsible therefor and not under control by physical restraint such as a leash, cord or chain. In all other~~

~~areas, a dog is deemed to be at large when it is found off the premises of its owner or other person responsible therefor and not accompanied and under immediate control by physical restraint or by signal or voice, unless physically restrained by a leash and under the control of a person within the congested areas designated by the board of county commissioners. "At large" does not include a dog exhibited in dog shows, trials, or obedience training; or a dog which is safely and securely confined within or upon any vehicle; or a dog under control in a designated off-leash area; or dogs used by law enforcement agencies.~~

~~"Animal congested area" herein described as "congested area includes any those areas of the Washoe County so designated by the board of county commissioners and described in sections 55.240 to 55.330, inclusive listed herein as follows:~~

1. Incorporated City of Reno;
2. Incorporated City of Sparks;
3. Greater Truckee Meadows and surrounding environs;
4. Woodland Village area;
5. Pebble Creek area;
6. Eagles Nest area;
7. Spring Ridge area;
8. Arrow Creek/Southwest Vistas area;
9. Timberline area;
10. Pleasant Valley area;
11. Sunridge/Reindeer area;
12. Saint James Village area;
13. Old Washoe City area;
14. New Washoe City area;

15. Incline Village area;
16. Franktown area;
17. Gerlach area;
18. Empire area;
19. Spanish Springs area; and
20. Wadsworth and Stampmill Estates Subdivision area.

A Confined means the animal is restricted to the property of the owner by leash, cord, **tether**, chain, wall or fence barrier.

A Dog means any domestic canine animal, ~~male or female, sexed or neutered.~~

A Domestic animal includes, but is not limited to, the following: any dog, cat, ~~equine animal, bovine animal, sheep, goat or porcine animal~~ or other animal that is kept by a person primarily for personal enjoyment. Domestic animal does not include any exotic animal or an animal that is kept in connection with farming or agriculture or drawing heavy loads.

A Hoofed animal includes any ungulate animal not customarily domesticated by man **except alternative livestock as defined in NRS 501.003.**

A Own ~~shall means unless otherwise specified, to keep, harbor or have control, charge of,~~ or **have the care, custody or control**

~~of any animal. Own does not apply to animals owned by others that are temporarily maintained on the premises of a veterinarian or boarding kennel operator for a period of less than 30 days, or permit an animal to be or remain on, or be lodged or fed within, such person's house, yard or premises.~~

A Quarantine means **the** placement of a biting animal ~~or,~~ an animal exposed to a rabid animal or to a high-risk species in

isolation at a veterinary hospital, animal shelter or other approved facility **location** in a manner such that the animal can be carefully observed for signs of illness or abnormal behavior.



^ARabies control authority means the district health officer or ~~any person authorized by him to act and under his supervision~~ **his designee.**

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the _____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the _____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after the _____ day of _____, 2015.

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, "at large" domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.

BILL NO. 1751

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONTAINING METES AND BOUNDS DESCRIPTIONS OF ANIMAL CONGESTED AREAS; BY AMENDING PROVISIONS RELATED TO REPORTING VIOLATIONS OF ANIMAL STATUTES, RESTRAINING ANIMALS, LICENSING DOGS, RABIES VACCINATIONS, "AT LARGE" DOMESTIC ANIMALS, IMPOUNDED ANIMALS AND QUARANTINE; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Sections 55.250 through 55.330, inclusive, and section 55.465 of the Washoe County Code are hereby repealed.

SECTION 2. The definitions of "residence" and "stray" contained in section 55.010 of the Washoe County Code are hereby repealed.

SECTION 3. Section 55.010 of the Washoe County Code is hereby amended to add the following new definitions:

"Service animal" means an animal that has been individually trained to perform tasks for people with disabilities in accordance with NRS 426.097 and the Americans with Disabilities Act. Service animals are working animals, not pets.

"Tether" means a cable, chain, rope or other similar device that is used to restrain an animal.

SECTION 4. Section 55.070 of the Washoe County Code is hereby amended as follows:

55.070 Report of violations.

1. Any person who observes a violation of any provision of this chapter may report the suspected violation to regional animal services. A complaint may be oral or written. Any person requesting civil or criminal action to be taken must submit a written complaint of the violation to regional animal services.

2. In accordance with NRS 207.280, any person who knowingly makes a false complaint to regional animal services that a felony or misdemeanor has been committed is guilty of a misdemeanor.

SECTION 5. Section 55.080 of the Washoe County Code is hereby amended as follows:

55.080 Warning of certain violations of chapter. An animal control officer may issue an oral or written warning to any person suspected of violating the provisions of this chapter or Nevada Revised Statutes. The warning may precede or be issued in lieu of a written citation or notice of civil penalty.

SECTION 6. Section 55.100 of the Washoe County Code is hereby amended as follows:

55.100 Restraining animals.

1. In the congested areas, each person who has the care, custody or control of any livestock, domestic animal or exotic animal, must keep the animal restrained by a fence, cage, coop, chain, tether, leash or other adequate means so that the animal shall not leave the premises upon which it is kept.

2. In the congested areas, it is unlawful for the owner of any dog to allow the dog to be in a public area unless the dog is on a leash. This provision does not apply to special areas that may be designated for training programs, dog shows or dog parks.

SECTION 7. Section 55.230 of the Washoe County Code is hereby amended as follows:

55.230 Determination of congested areas. For the purpose of certain regulations regarding animals in Washoe County, the board will divide the county into areas determined to be congested areas and areas not determined to be congested areas under this chapter. The complete metes and bounds description of each of the congested areas as well as a corresponding map of these congested areas shall be adopted by the board by resolution, which may be amended from time to time by the board.

SECTION 8. Section 55.340 of the Washoe County Code is hereby amended as follows:

55.340 Licensing of dogs in congested areas required; fees; license tags; unlawful to fail to license.

1. Within a congested area, every person keeping or maintaining any dog over the age of 4 months, within 30 days after the dog attains this age, or after first bringing a dog into a congested area to keep and maintain, shall obtain and

thereafter continuously maintain for the dog a current and valid dog license issued by regional animal services and shall comply with the vaccination provisions of section 55.580.

2. Each dog license shall be renewed within 30 days from the expiration date on the certificate. After this date, a penalty fee shall be charged for late licensing.

3. The license fee shall be set by the board of county commissioners.

4. Upon payment of the license fee, regional animal services will issue:

(a) A certificate stating the license period for which the license fee is paid, a description of the dog, the date of payment and the name and address of the person to whom the license is issued.

(b) A metal tag or implanted microchip numbered to correspond with the license.

5. A dog license is not transferable from one dog to another.

6. No refund shall be made on any dog license fee because of death of the dog or the owner moving out of the county before expiration of the license period.

SECTION 9. Section 55.350 of the Washoe County Code is hereby amended as follows:

55.350 Rabies vaccination required.

1. It is unlawful to own or possess a dog, cat or ferret which is not appropriately vaccinated against rabies. Rabies vaccinations must be given by a veterinarian licensed to practice veterinary medicine in the state in which the animal was vaccinated. Each rabies vaccination shall expire as noted on the vaccination certificate, and shall include the information specified in section 55.590.

2. This section does not apply to an animal that for medical reasons should not be vaccinated, provided the owner furnishes such a statement from a licensed veterinarian.

SECTION 10. Section 55.380 of the Washoe County Code is hereby amended as follows:

55.380 Licensing exemptions. The licensing provisions of this chapter to not apply to a dog which is used by a public law enforcement agency, or which is in the temporary care and custody of a releasing agency approved by regional animal services.

SECTION 11. Section 55.460 of the Washoe County Code is hereby amended as follows:

55.460 Unlawful for domestic animals, except cats, to be at large in congested areas; damage by animals; capture and

impoundment by individuals.

1. It is unlawful for any domestic animal, except a cat, to be at large within the congested areas.

2. It is unlawful for any domestic animal to endanger property, public safety or any other animal.

3. A violation of subsection 1 or 2 is committed by the owner or person having custody, control or possession of the animal.

4. A member of regional animal services' staff or any other person may take up and impound at the animal services center:

(a) Any domestic animal, except a cat, which is found at large within a congested area;

(b) Any domestic animal which is trespassing on that persons property; and

(c) Any domestic animal, which is endangering property, public safety or any other animal.

SECTION 12. Section 55.485 of the Washoe County Code is hereby amended as follows:

55.485 Rules regarding impounded animals.

1. The Director of regional animal services or his or her designee may promulgate reasonable rules related to animals. These rules may include, but are not limited to:

(a) Charging owners or persons having the care, custody or possession of impounded animals for all costs and maintenance incurred by regional animal services, including special assessments.

(b) Euthanizing impounded animals in a humane manner where the animals have been left unredeemed beyond the specified impoundment period.

(c) Euthanizing impounded animals which may not be kept due to dangerous behavior, disease, age or injury.

(d) Transferring impounded, unredeemed animals.

(e) Redeeming animals upon payment of all costs as outlined herein and upon licensing or relicensing and vaccination of such animals.

(f) Providing for the periodic inspection of the regional animal services center.

SECTION 13. Section 55.490 of the Washoe County Code is hereby amended as follows:

55.490 Period of impoundment; notice of impoundment; disposition of unclaimed animals.

1. Except in the case of livestock, an animal impounded at the animal services center will be kept for a period of five days, unless redeemed earlier by its owner.

2. If regional animal services knows or discovers the identity of the owner of an impounded animal regional animal services staff shall attempt to provide notice of the animal's

impoundment. If the identity of the owner is ascertained and notice is given, the owner may redeem the animal in accordance with section 55.500. If the owner does not redeem the animal within the time period specified by regional animal services, the impounded animal may be euthanized as provided in subsection 3 below.

3. Regional animal services may euthanize an impounded animal in a humane manner after the end of the five day impoundment period. In lieu of euthanasia, regional animal services may transfer any unredeemed animal to an authorized releasing agency requesting the animal.

SECTION 14. Section 55.500 of the Washoe County Code is hereby amended as follows:

55.500 Redeeming impounded animals. The owner or person entitled to possess any impounded animal may redeem such animal by:

1. Presenting proof of a current license if the animal is of a type that must be licensed;
2. Paying the license fee, if the animal is a dog and was unlicensed;
3. Requesting implantation of a microchip, if the animal is a dog or cat;
4. Paying fees for impoundment, boarding, care and any medical treatment provided to the animal; and
5. Providing proof of rabies vaccination if the animal is a type that can be vaccinated. If such animal has not been vaccinated, regional animal services shall issue a temporary license if one is required, and shall notify the owner regarding compliance with section 55.350. The owner of said animal must provide proof of rabies vaccination within 14 days of redemption.

SECTION 15. Section 55.630 of the Washoe County Code is hereby amended as follows:

55.630 Quarantine fees. Quarantine fees shall be the responsibility of the owner. Quarantine fees shall be set by the board of county commissioners.

SECTION 16. Section 55.010 of the Washoe County Code is hereby amended as follows:

At large means every instance in which a domestic animal, except a cat, is physically off the premises of its owner, handler or keeper, unless physically restrained by a leash and under the control of a person within the congested areas designated by the board of county commissioners. "At large"

does not include a dog exhibited in dog shows, trials, or obedience training; or a dog which is safely and securely confined within or upon any vehicle; or a dog under control in a designated off-leash area; or dogs used by law enforcement agencies.

Animal congested area" herein described as "congested area includes those areas of Washoe County so designated by the board of county commissioners and listed herein as follows:

1. Incorporated City of Reno;
2. Incorporated City of Sparks;
3. Greater Truckee Meadows and surrounding environs;
4. Woodland Village area;
5. Pebble Creek area;
6. Eagles Nest area;
7. Spring Ridge area;
8. Arrow Creek/Southwest Vistas area;
9. Timberline area;
10. Pleasant Valley area;
11. Sunridge/Reindeer area;
12. Saint James Village area;
13. Old Washoe City area;
14. New Washoe City area;
15. Incline Village area;
16. Franktown area;
17. Gerlach area;
18. Empire area;
19. Spanish Springs area; and
20. Wadsworth and Stampmill Estates Subdivision area.

Confined means the animal is restricted to the property by leash, cord, tether, chain, wall or fence barrier.

Dog means any domestic canine animal.

Domestic animal includes, but is not limited to, the following: any dog, cat or other animal that is kept by a person primarily for personal enjoyment. Domestic animal does not include any exotic animal or an animal that is kept in connection with farming or agriculture or drawing heavy loads.

Hoofed animal includes any ungulate animal not customarily domesticated by man except alternative livestock as defined in

NRS 501.003.

Own means to keep, harbor or have charge of, or have the care, custody or control of an animal, or permit an animal to be or remain on, or be lodged or fed within, such person's house, yard or premises.

Quarantine means the placement of a biting animal, an animal exposed to a rabid animal or to a high-risk species in isolation at a veterinary hospital, animal shelter or other location in a manner such that the animal can be carefully observed for signs of illness or abnormal behavior.

Rabies control authority means the district health officer or his designee.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the ____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the ____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after the
____ day of _____, 2015.